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7 **UNITED STATES DISTRICT COURT**  
8 **DISTRICT OF NEVADA**  
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10 CODY DEAN BYRD,

11 Plaintiff,

12 v.

13 MERIDIAN FORECLOSURE SERVICE,  
14 *et al.*,

15 Defendants.

Case No. 2:11-CV-00096-KJD-PAL

**ORDER**

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17 Plaintiff's complaint was filed in Nevada state court on December 7, 2010. Federal Rule of  
18 Civil Procedure 4(m) requires service of summons and complaint to be made upon a defendant 120  
19 days after the filing of the complaint. The 120 day time period for effecting service of the summons  
20 and complaint upon the remaining Defendants expired no later than April 7, 2011. On April 8, 2011,  
21 the Court ordered Plaintiff to file proof of service of the summons and complaint no later than April  
22 25, 2011, and warned Plaintiff that failure to do so would result in the complaint against the  
23 remaining Defendants being dismissed without prejudice.

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1 Plaintiff has failed to file proof of service on the remaining Defendants, or to otherwise  
2 respond to the Court's order. Therefore, the Court dismisses Plaintiff's complaint without prejudice  
3 against the remaining Defendants for failure to serve Defendants in compliance with Rule 4(m). The  
4 Clerk of the Court is ordered to close this case.

5 **IT IS SO ORDERED.**

6 DATED this 29<sup>th</sup> day of April 2011.

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Kent J. Dawson  
United States District Judge  
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